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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/704,100	11/01/2000	Raymond Kurzweil	11327-012001	3435

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EXAMINER

SPOONER, LAMONT M

ART UNIT PAPER NUMBER

2654

DATE MAILED: 03/16/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/704,100

Applicant(s)

KURZWEIL ET AL.

Examiner

Lamont M Spooner

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 6, 8-14, 18-21 and 23-25 is/are rejected.
- 7) ☒ Claim(s) 4, 7, 15, 16, 17, 22, and 26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 November 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

items 32, 34, 36 and 38.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description:

item 12.

A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claim 9 is objected to because of the following informalities:

In claim 9 line 2, "the process" lacks antecedent basis, the examiner interprets claim 9 as:

alternately writing one word at a time in each of the poet assistant windows-the process being writing each word.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4, 7, 16, 17, 22, and 26 recite the limitations:

In claim 4 line 2, "the author analysis models".

In claim 7 line 2, "the list of authors that have been analyzed".

In claim 16 lines 2 and 3, "the author".

In claim 17 line 3, "this author".

In claim 22, line 4, "the author analysis models".

In claim 26, line 4, "the author analysis models".

There is insufficient antecedent basis for these limitations in the claims.

5. Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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7. Claims 1, 2, 3, 6, 10, 11, 12 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Oon (U.S. Patent No. 6,408,266 filed Sep. 29, 1999).

As per **claim 1**, Oon discloses a computer-implemented method of providing a graphical user interface (GUI) (C.13.lines 53-55) in a poetry generation system (C.1.lines 29-31) comprising:

displaying a work space (Fig 13 "work space");
receiving a user input to the work space (C.5.lines "query box", C.21.lines 62-69);
linking the user input to the workspace to a plurality of poet assistant windows (C.5.lines 10-12-"screens associated therewith").

As per **claim 2**, Oon discloses all of the limitations of claim 1, upon which claim 2 depends. Oon further discloses:

the work space is derived from executing a word processing program (C.5.lines 2-5, C.6.14-16-text edit area-the work space-is enabled by the word processing program).

As per **claim 3**, Oon discloses all of the limitations of claim 1, upon which claim 3 depends. Oon further discloses:

the user input is a word (Fig. 14 "ox").

As per **claim 6**, Oon discloses all of the limitations of claim 1, upon which claim 6 depends. Oon further discloses:

a define poet personality dialogue box (Fig. 17-a dialogue box is under family which defines the poet personality) may be activated by a button in a poet's assistant

dialogue box or by selection of an item from a tools menu (C.5.lines 14, 15, C.21.lines 61-62-the drop down button allows the activation of a dialogue box).

As per **claim 10**, Oon discloses all of the limitations of claim 1, upon which claim 10 depends. Oon further discloses:

superimposing (Fig 17-the plurality of poet assistant windows are superimposed onto the workspace) on the workspace multiple poet assistant windows, as selected (C.5.lines 14, 15, C.21.lines 61-62-the drop down button becomes a poet assistant dialogue box and allows the selection of the poet assistant windows).

As per **claim 11**, Oon discloses a graphical user interface for a poetry generation system comprising:

a poet assistant dialogue window that allows a user to select a plurality of poet assistant windows (C.21.lines 57-62-the drop down button becomes a poet assistant dialogue box and allows the selection of the poet assistant windows)..

As per **claim 12**, Oon discloses all of the limitations of claim 11, upon which claim 12 depends. Oon further discloses:

the graphical user interface is superimposed on a workspace (C.21.lines 61-62-the drop down button is superimposed on the workspace) that is provided from a word processing program (C.5.lines 2-5, C.5.lines 40-45).

As per **claim 19**, Oon discloses all of the limitations of claim 1, upon which claim 19 depends. Oon further discloses:

a next word window that shows a next word after the user types a word in the workspace (Fig. 14-the user types "ox" into the workspace, the next word window then displays "intoxicate").

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 5, 9, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oon in view of Torres et al. (U.S. Patent No. 5,897,635 Apr. 27, 1999).

Oon and Torres et al. are analogous art in that they both involve user application interfacing.

As per **claim 5**, Oon discloses all of the limitations of claim 1, upon which claim 5 depends. Oon further discloses:

the poet assistant window (Fig. 17 the window of "Family") comprises a poet personality (C.21.lines 50-56-the author's text is analyzed and put into a family which is interpreted as the personality).

Oon does not disclose:

each of the plurality of poet's assistant windows comprise a poet personality.

However, as it is well known in the art, Torres et al. teaches each window having a same operation (C.4.lines 39-43). Therefore, at the time of the invention, it would have been obvious to combine Oon with Torres et al. The motivation for doing so would have

been to unify multiple windows with a particular application-poetic assistant-which would increase effective window management and look and feel symmetry while allowing each analysis due to the effective symmetry to be implemented in each window.

As per **claim 9**, Oon discloses all of the limitations of claim 1, upon which claim 9 depends. Oon does not disclose:

alternately writing one word at a time in each of the poet assistant windows.

However, as it is well known in the art, Torres et al. teaches writing information in each window (C.4.lines 39-43). Therefore, at the time of the invention, it would have been obvious to combine Oon with Torres et al. The motivation for doing so would have been to enter text into each window for the benefit of being able to analyze each window according to the text that was written therein, according to the application or particular protocol that is being implemented within the windows.

As per **claim 14**, Oon discloses all of the limitations of claim 12, upon which claim 14 depends. Oon further discloses:

a plurality of poet assistant windows (Fig. 20-"phylum, superclass"), an analyze author dialogue window (C.12.lines 63-65-the author is Wordsworth, the window displays the listing of the poem, which is the dialogue-the analysis of the poem is given by the Genus, which analyses the many poems to produce "Tintern Abbey"), a poet assistant window including controls (C.21.lines 61-62-the drop down button allows the selection of a dialogue box, which includes the controls), and author analysis models to be included in a poet personality represented by the poet assistant window (C.5.lines 65-67, C.6.lines 1-4 -every author that is analyzed is included in the poet personality,

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“on line integrated into the word processor, every word, every phrase, every sentence, every essay...”).

Oon does not disclose:

a plurality of poet assistant windows each of the poet assistant windows a control to launch an analyze author dialogue window with each poet assistant window including controls to allow a user to select authors analysis models to be included in a poet personality represented by the poet assistant window.

However, as it is well known in the art, Torres et al. teaches each window having a same operation and control means allowing a user to select and with the selecting launching desired items within each window (C.4.lines 39-43). Therefore, at the time of the invention, it would have been obvious to combine Oon with Torres et al. The motivation for doing so would have been to improve the multiple window management of data and controls to each window allowing the user selection of authors in the personality windows to progress in a literary endeavor, which would benefit one who could be learning in a university environment or for leisure.

9. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oon in view of Dazey et al. (U.S. Patent No. 5,715,415 Feb. 3, 1998).

Oon and Dazey et al. are analogous art in that they both implement the usage of graphical interfaces.

As per **claim 8**, Oon discloses all of the limitations of claim 1, upon which claim 8 depends. Oon further discloses:

allowing a user to copy and paste text from any of the poet assistant windows to the workspace (C.22.lines 19-23).

Oon does not disclose:

allowing a user to cut text from any of the poet assistant windows to the workspace.

However, as it is well known in the art, Dazey et al. teaches having a cut, copy and paste button and a graphical user interface and work space (C.4.lines 16-24). Therefore, at the time of the invention, it would have been obvious to combine Oon with Dazey et al. The motivation for doing so would have been to transfer information from one location to another for analysis purposes without having to retype the entire set of information, which would increase ease and accuracy of text relocation.

10. Claims 13, 20, 21 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oon in view of Banks et al. (U.S. Patent No. 5,993,048 filed April 25, 1990).

Oon and Banks et al. are analogous art in that they both involve methods to generate poems by computer.

As per **claims 13 and 23-25**, Oon discloses all of the limitations of claim 12, upon which claim 13 depends. Oon further discloses:

the poet assistant dialogue box includes controls (C.21.lines 61-62-the drop down button allows the selection of items-which are the control means).

a next word display that displays (Fig 14-the user types in "ox" the next word displayed is "intoxicate") a next word after the user types a word in the word processing program (C.5.lines 2-5),

Oon does not disclose:

the poet assistant dialog box includes controls to chose next word display that displays a next word after the user types a word in the word processing program, a finish line display that shows a completed line after the user types a word in the word processing program, or finish poem displays a completed poem after the user types a word in the word processing program.

However, as it is well known in the art, Banks et al. teaches having a completed line (Fig 9-the user enters the name, the following display in Fig 10 displays the completed line including the name) and poem display (Fig. 10-the user enters a word "hectic" the next display shoes the completed poem-Fig 11) after the user types a word. Therefore, at the time of the invention, it would have been obvious to combine Oon and Banks et al. The motivation would have been to allow the user to select the particular display that would enable him to complete a poem and see how the poem is coming along as he is creating it as Banks teaches, and this would benefit the author in that he could dynamically change his poem as each word is being entered.

As per **claim 20**, Oon discloses all of the limitations of claim 1, upon which claim 20 depends. Oon does not disclose:

a finish line window that shows a completed line after the user types a word in the workspace.

However, as it is well known in the art, Banks et al. teaches having a completed line (Fig 9-the user enters the name, the following display in Fig 10 displays the completed line including the name) display that shows a completed line after a user types in a word. Therefore, at the time of the invention, it would have been obvious to combine Oon and Banks et al. The motivation would have been to allow the user to have a particular display that would enable him to complete a poem line and see how the poem is coming along as he is creating it word by word as Banks teaches, and this would benefit the author in that he could dynamically change his poem as each word is being entered.

As per **claim 21**, Oon discloses all of the limitations of claim 1, upon which claim 20 depends. Oon does not disclose:

a finish poem window that shows a completed poem after the user types a word in the workspace.

However, as it is well known in the art, Banks et al. teaches having a finish poem window (Fig. 10-the user enters a word "hectic" the next display shoes the completed poem-Fig 11) after the user types a word. Therefore, at the time of the invention, it would have been obvious to combine Oon and Banks et al. The motivation would have been to allow the user to have a particular display that would enable him to view a finished poem after a word is entered and see how the resulting finished poem appears as he is creating it as Banks teaches, and this would benefit the author in that he could dynamically view his a possible finished result of the poem as each word is being entered.

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11. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oon.

As per **claim 18**, Oon discloses all of the limitations of claim 12, upon which claim 18 depends. Oon further discloses:

a poet assistant window (Fig. 15-the information window) displays a word that is outputted in response (Fig. 15 "heavy" is displayed in response to the user typing "John has been quite sick...") to a users words generated by the user in the workspace.

Oon does not disclose:

the poet assistant windows display a word that is outputted in response to a user highlighting words generated by the user in the workspace.

However, as it is well known in the art, Oon teaches of highlighting a word (in the copying of the word-C.22.lines 19-21) and placing them into any word processing program, which would have been the poet assistant windows. Therefore, it would have been obvious to input words into the poet assistant windows by highlighting the words from the work space for the benefit of not having to retype the words into each window every time the user wished to have the word entered into a particular window, which would save time.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Marsh et al. (U.S. Patent No. 6,308,042 filed Jan. 8, 1998) teaches superimposing windows over a work space area and having dialogue windows for controlling a selection of objects.

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- Goldwasser et al. (U.S. Patent No. 4,559,598 Dec. 17, 1985) teaches of selecting a text and having the text displayed in a plurality of windows.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lamont M Spooner whose telephone number is 703/305-8661. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis Smits can be reached on 703/306-3011. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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